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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,723	01/17/2001	Yasuo Koishihara	53466/295	4861

7590 10/17/2002

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EXAMINER

EWOLDT, GERALD R

ART UNIT

PAPER NUMBER

1644

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94

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/160,123

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	14

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

In the Response to Restriction Requirement, filed 7/23/02, Applicant states that the requirement of an election of species is improper because it is drawn to non-pending claims. Applicant states that Claims 1-12 were canceled and Claims 13-24 were introduced in a preliminary amendment filed 2/09/01. Applicant is advised that no preliminary amendment was received on 2/09/01 canceling any claims nor introducing others. Applicant is further advised that the Species Requirement, mailed 3/18/02, indicated that Claims 1-12 were pending. It is noted, however, that Applicant's Response to said Requirement, filed 5/14/02, made no mention of the now asserted impropriety. Accordingly, the instant response is considered to be non-responsive.

If a complete response has not been submitted by the time the shortened statutory period for response set in the previous communication mailed has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 C.F.R. 1.136. In no case may an applicant extend the period for response beyond the six month statutory period.

Any inquiry concerning this communication should be directed to the Examiner, Dr. Gerald R. Ewoldt, Art Unit 1644, whose telephone number is 703-308-9805.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center customer service representative whose telephone number is (703) 308-0196.

G.R. Ewoldt, Ph.D.
Patent Examiner
Tech Center 1600
October 17, 2002